

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3987 OF 2005
IN
APPEAL (LDG.) NO.1258 OF 2005
IN
SUMMONS FOR JUDGMENT NO.986 OF 2003
IN
SUMMARY SUIT NO.2234 OF 2003

Beacon Laboratories Pvt. Ltd. Applicant
V/s.
Diamant Boart India Pvt.Ltd. & Ors. Respondents

Mr.Y.R. Shah for the Applicant.

Mr.D.V. Singh i/b Thakordas & Madgavkar for the
Respondents.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 18TH MARCH, 2006.

P.C. :

1. Heard the learned counsel for the Applicant and the Respondents. Perused the affidavit in support of the Notice of Motion. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out. There is no case of inaction, negligence or want of bona-fide on the part of the Applicant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)